

## REMARKS

### Rejections under 35 U.S.C. § 102(e)

#### Claims 1, 2, 4 and 6-9

Claims 1, 2, 4 and 6-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Sezan et al., U.S. Patent No. 6,236,395 issued on May 22, 2001. Applicant does not admit that Sezan is prior art and reserves the right to swear behind the reference at a later date. Regardless, Applicant respectfully submits that Applicant's invention as claimed in claims 1, 2, 4, and 6-9 is not anticipated by Sezan.

Sezan discusses defining description schemes to provide descriptions of the informational content of the programs, the system and the user of an audiovisual system. The program description scheme is related to the video, still image, and audio information and includes two sets of information - program views and program profiles. The program views define logical structures of the frames of a video. The program profiles define distinctive characteristics of the content of the program, such as actors, stars, rating and so on. The user description scheme includes the user's personal preferences, information regarding the user's viewing history and personal information about the particular user. The system description scheme maintains lists of programs, categories, channels, users, videos, audio, and images. The system description scheme also maintains capabilities of a device for providing the audio, video, and/or images.

The Examiner appears to have equated Sezan's description schemes to storage management instructions as claimed. However, Sezan's description schemes provide data to store a set of information (such as lists, capabilities of device, user preference data and so on) that can be used in enabling browsing, filtering, searching, archiving, and personalization. Indeed, Sezan's description scheme generation module and program analysis module provide data to a data storage unit. Sezan is silent about providing instructions that cause automated management of the media storage device without requiring user input, as claimed in independent claim 1.

Thus, Applicant respectfully submits that the invention as claimed in independent claim 1 and dependent claims 2, 4, and 6-9 is not anticipated by Sezan. Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims.

**Rejections under 35 U.S.C. § 103(a)**

**Claims 3, 5, and 10-31**

Claims 3, 5, and 10-31 stand rejected under 35 U.S.C. § 103(a) as being obvious over Sezan. The Examiner has taken Official Notice of the missing elements. Applicant respectfully objects to such Official Notice and requests the Examiner cite references in support of his/her position.

Regardless, neither Sezan nor any of the alleged knowledge in the art discloses storage management instructions that perform automated management of the media storage device without requiring user input as claimed in independent claims 1, 11, and 21.

Accordingly, Applicant respectfully submits that Applicant's invention as claimed in claims 3, 5, and 10-31 is not rendered obvious by Sezan, and respectfully requests the withdrawal of the rejection under 35 U.S.C. § 103(a).

## **SUMMARY**

Claims 1-31 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x309.

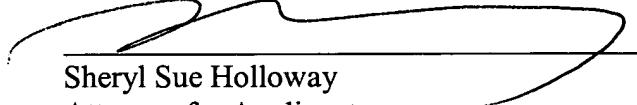
### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR  
& ZAFMAN LLP

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Sheryl Sue Holloway  
Attorney for Applicant  
Registration No. 37,850

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300